



PUBLIC NOTICE

Federal Communications Commission
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DA 10-37
Released: January 8, 2010

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN
ASSETS OF SUNESYS, LLC BY
VELOCITY.NET COMMUNICATIONS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-13

Comments Due: January 22, 2010
Reply Comments Due: January 29, 2010

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer the assets of Sunesys, LLC (Sunesys) to Velocity.Net Communications, Inc. (Velocity.Net) (together, Applicants).¹ Sunesys, a Delaware limited liability company, is a wholly owned subsidiary of InfraSource Incorporated, which is in turn wholly owned by InfraSource Services, Inc., both U.S.-based corporations.² Sunesys currently provides competitive telecommunications services in California, Delaware, Florida, Georgia, Illinois, Maryland, New Jersey, Ohio and Pennsylvania, and is authorized to provide service in several other states. Its affiliate, Sunesys of Virginia, Inc., is authorized to provide competitive telecommunications services in Virginia. Velocity.Net, a privately-owned Pennsylvania corporation, is wholly owned by Joel Deuterman, a US citizen. Velocity.Net provides competitive access service in Pennsylvania and is authorized to provide service in North Carolina. Under the terms of the proposed transaction, Sunesys will transfer its assets associated with its network in Erie County, Pennsylvania, including associated customer contracts, to Velocity.Net. The Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules³ and that a grant of the application will serve the public interest, convenience, and necessity.

Domestic Section 214 Application for the Acquisition of Certain Assets of Sunesys, LLC
by Velocity.Net Communications, Inc. WC Docket No. 10-13 (filed Dec. 29, 2009).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214.

² Quanta Services, Inc. owns 100 percent equity in InfraSource Services, Inc. Three individuals, all US citizens, hold a ten percent or greater ownership in Quanta Services, Inc.: (1) Vincent D Foster (25.59 percent); (2) William G. Parkhouse (22.11 percent); and (3) James C. Thomas (10.68 percent).

³ 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The transfer of assets identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before January 22, 2010**, and reply comments **on or before January 29, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Heather Hendrickson, Competition Policy Division, Wireline Competition Bureau, heather.hendrickson@fcc.gov;
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Heather Hendrickson at (202) 418-7295.

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⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.